

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

ANTONIO VAUGHN,

Petitioner,

v.

WARDEN,

Respondent.

CAUSE NO.: 3:18-CV-546-PPS-MGG

OPINION AND ORDER

Antonio Vaughn, a prisoner without a lawyer, filed a habeas corpus petition challenging his prison disciplinary hearing in ISP 18-02-247 where a Disciplinary Hearing Officer (DHO) at the Indiana State Prison found him guilty of unauthorized possession of property in violation of B-215 on February 22, 2018. ECF 1 at 1. As a result, Vaughn was sanctioned with the loss of 60 days earned credit time. *Id.*

After Vaughn filed his petition, the finding of guilt and sanctions were vacated. ECF 9-1 at 1. The Warden has filed a motion to dismiss because this case is now moot. ECF 9. Vaughn did not file a response and the time for doing so has passed. *See* N.D. Ind. L.R. 7-1(d)(2)(A). Regardless, the court cannot overturn the disciplinary proceeding and restore his time because the Indiana Department of Correction has already vacated the proceeding and restored his time. That is to say, Vaughn has already won and there is no case left for this court to decide. Accordingly, this case must be dismissed. *See Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003) (prisoner can

challenge prison disciplinary determination in habeas proceeding only when it resulted in a sanction that lengthened the duration of his confinement).

For these reasons, the motion (ECF 9) is GRANTED and the case is DISMISSED. The clerk is DIRECTED to close this case.

SO ORDERED on December 27, 2018.

/s/ Philip P. Simon  
PHILIP P. SIMON, JUDGE  
UNITED STATES DISTRICT COURT